

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

RODNEY D. DUCKWORTH,)	
)	
Plaintiff,)	
)	
v.)	3:05-CV-0727-T
)	(WO)
RANDOLPH COUNTY JAIL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge filed herein on August 5, 2005 (Doc. 3), and upon an independent review of the file in this case, said Recommendation is hereby adopted, and it is the

ORDER, JUDGMENT and DECREE of the court that:

1. Plaintiff's claims against the Randolph County Jail and Judge Whaley are DISMISSED with prejudice prior to service of process pursuant to the provisions of 28 U.S.C. § 1915 (e)(2)(B)(i) and (iii);
2. The Randolph County Jail and Judge Whaley are DISMISSED as parties to this complaint; and
3. This case with respect to the remaining defendants is referred back to the Magistrate Judge for additional proceedings.

DONE, this the 23rd day of August, 2005.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE